



CITY OF LAKE OSWEGO Planning Commission Action Minutes September 12, 2016

1. CALL TO ORDER

Chair John LaMotte called the meeting to order at 6:30 p.m. in the Council Chamber of City Hall, 380 A Avenue, Lake Oswego, Oregon.

2. ROLL CALL

Members present were Chair John LaMotte, Vice Chair Robert Heape and Commissioners Randy Arthur, Adrienne Brockman, Ed Brockman, William Gaar and Bill Ward.

Staff present were Scot Siegel, Planning and Building Services Director; Jessica Numanoglu, Planning Manager; Sarah Selden, Senior Planner; Evan Boone, Deputy City Attorney; and Iris McCaleb, Administrative Support.

3. COUNCIL UPDATE

There was no Council update.

4. CITIZEN COMMENT – Regarding issues not on the agenda

Matt Palmer, 2 Eagle Crest Drive, Lake Oswego, 97035, representing the Mountain Park Neighborhood Association and Russ O'Connor, 2 Mount Jefferson Terrace, Lake Oswego, 97035, representing the Mountain Park Homeowner's Association, presented concerns regarding traffic – such as speed, parking and signs, which were impacting safety and livability. Mr. Boone advised that the City Manager and Transportation Advisory Board (TAB) were the delegated authority for regulation of traffic which included speed and parking areas. Mr. Siegel indicated that staff would convey their concerns to the City's traffic engineer and the staff liaison to the TAB. He noted that the TAB would be meeting on September 14.

The Commission had the following suggestions:

- Find out what information would be needed before they contacted the TAB
- Have ideas of funding for enforcement
- Find out if traffic studies were needed

Action Item for Staff

- Convey concerns to City's traffic engineer and the staff liaison to the TAB

5. COMMISSION FOR CITIZEN INVOLVEMENT

Chair LaMotte announced ongoing recruitment for the City's Youth Leadership Council and an upcoming meeting of the Oswego Lake Watershed Council on September 14.

6. MINUTES

- 6.1 Commissioner A. Brockman **moved** to approve the Minutes of August 8, 2016, as written. Commissioner Ward **seconded** the motion and it **passed 6:0:1**. Commissioner Gaar abstained.

7. FINDINGS, CONCLUSIONS AND ORDER

7.1 Commercial Code Streamlining (LU 15-0035)

On July 25, 2016, the Planning Commission made a preliminary recommendation that the City Council approve the proposed amendments with changes as discussed during deliberations. Staff coordinator was Jessica Numanoglu, Planning Manager.

Ms. Numanoglu indicated that at the direction of the Planning Commission she had drafted the Findings to include a use-specific standard for veterinary clinics prohibiting barking that may be heard beyond the boundary of the property. She reported that she received an e-mail from a local veterinary clinic expressing concern with this language (page 69, Attachment B), because if a dog barked even once, they would technically be in violation of the code. To address this concern Ms. Numanoglu drafted an alternative standard more in line with Chapter 31 that regulates animals and fowl in the city. The new proposed language stated:

“It shall be a violation to permit unreasonable annoyance, alarm or noise disturbance at any time of the day or night by repeated barking, whining, screeching, howling, braying or other like sounds which may be heard beyond the boundary of the veterinary clinic property.”

The Commission discussed concerns regarding the code being reasonable, enforceable and flexible.

Commissioner E. Brockman **moved** to accept the revised language proposed by staff (page 4 of the Findings, Conclusions and Order and Page 69 of Attachment B dated September 5, 2016). Chair LaMotte **seconded** the motion and it **passed 4:3**. Commissioners A. Brockman, Heape and Ward voted no.

The following corrections/revisions were noted:

- Commissioner Arthur referred to the author of Exhibit G-2 and pointed out that there are two practicing attorneys in downtown Portland named Thomas Tongue. He recommended that page 1 of the Findings be corrected to show Thomas M. Tongue as the author.
- Chair LaMotte noted that on page 2 of Attachment B, g. the word “the” was missing. It should read “...policies applicable to **the** Downtown Center and...”
- Commissioner Ward noted that on page 23 of Attachment B, footnote 96, that uses in the NC zone were being referred to as a conditional use and permitted outright. Reference to the second NC needed to be deleted and should read “...permitted outright in the GC, EC, FMU zones.”
- Chair LaMotte noted that on page 34, the CR&D column, under “P [20]” there was a comment that appeared to be left over from a previous version that needed to be deleted.

Commissioner Ward **moved to adopt the revised Findings, Conclusions and Order with corrections as noted**. Commissioner Gaar **seconded** the motion and it **passed 6:1**. Commissioner A. Brockman voted no.

Commissioner A. Brockman stated that she was voting no because she thought that some of the uses were too loose and some too complex. She thought it was hard for a citizen to understand what they could and could not do and a test of the code was that citizens could read the code and easily figure it out.

8. WORK SESSION

8.1 Evergreen Neighborhood Overlay Revisions – Work Session #1 (LU 16-0042/PP 15-0007)

The Commission reviewed the draft code concepts related to building height and provided feedback to the Evergreen Neighborhood Association and staff prior to scheduling a public hearing. Diana Boom and Paden Prichard co-presented with Ms. Selden.

Action items included:

- Commissioner Gaar commented that the height issue was complicated; he suggested providing a couple of models or diagrams of how the height increase worked. He also suggested providing a best argument for the functional value of the additional 6-feet, other than aesthetics.
- Mr. Siegel provided some historical context and background and offered to review the adoption of the original overlay with regard to the height exception.

9. SCHEDULE REVIEW

There were no action items.

10. OTHER BUSINESS – PLANNING COMMISSION

The Commission discussed modifying the start time of their next meeting on September 26, to allow time for those interested in watching the first Presidential Debate and the City Mayoral Candidates Forum.

Commissioner E. Brockman **moved to authorize Chair LaMotte to work with staff to modify the start time for their next meeting on September 26**. Commissioner A. Brockman **seconded** the motion and it **passed 7:0**.

11. ADJOURNMENT

There being no other business Chair LaMotte adjourned the meeting at 8:06 p.m.